

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MAC B. PROPERTIES, LLC,)
et al.,)
Plaintiffs,)
v.) Case No. CIV-24-665-SLP
PM CONSTRUCTION AND REHAB, LLC,)
d/b/a IPR SOUTH CENTRAL,)
Defendant.)

ORDER

Plaintiffs' Amended Complaint [Doc. No. 9] is STRICKEN for failure to comply with the Court's prior Order [Doc. No. 8]. As the Court previously explained, Plaintiffs must allege the **citizenship of all members** of Plaintiff, Mac B. Properties, LLC and Defendant, PM Construction and Rehab, LLC. *See Siloam Springs Hotel, L.L.C. v. Century Sur. Co.*, 781 F.3d 1233, 1234 (10th Cir. 2015) (LLC has citizenship of all its members). The limited liability companies' principal places of business and states of incorporation are irrelevant. *See id.* at 1238.

As to the individual Plaintiffs and the LLC members, “[a]n individual’s residence is not equivalent to his domicile and it is domicile that is relevant for determining citizenship.” *Id.* at 1238; *Whitelock v. Leatherman*, 460 F.2d 507, 514 n. 14 (10th Cir. 1972) (“an allegation that a party defendant is a resident of a state is not equivalent to an allegation of citizenship and is insufficient to confer jurisdiction upon the District Court” (internal quotation marks omitted)).

Plaintiffs are within their time to re-file an amended complaint in compliance with the Court's Order. *See* [Doc. No. 8] at 2. Plaintiff Mac B. Properties, LLC is reminded to file its separate disclosure statement. *See* LCvR7.1.1. Failure to timely comply may result in dismissal of this action without prejudice.

IT IS SO ORDERED this 9th day of August, 2024.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE